



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,424	07/03/2001	Ravindra K. Shetty	H00-02101 (256.099US1)	3349
128	7590	10/14/2005	EXAMINER	
HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			BROWN JR, NATHAN H	
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/899,424	Applicant(s) SHETTY, RAVINDRA K.	
	Examiner Nathan H. Brown, Jr.	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/21/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 15, 18-28, 30, 32, 35-42, 45-55 and 57-59 is/are rejected.
- 7) ☒ Claim(s) 12, 14, 16, 17, 29, 31, 33, 34, 43, 44, 56 and 59-62 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/3/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner's Detailed Office Action

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action for application 09/899,424, filed July 21, 2005 is persuasive and, therefore, the finality of that action is withdrawn.
2. Applicant's arguments with respect to claims 1-62 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 2121

4. Claims 13, 30, and 57 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The equation used in each claim is of unknown form and not described. The expressions $(R_{x(i+1)N} - R_{xiN})$ would have to be numeric for the use of less than ($<$) and greater than ($>$) operations to make sense in the way they are being used (without further explanation). (*Examiner assumes numeric values are being used.*) If numeric values are being used, then the equality ($=$) implies that the equation is a Boolean equation where the Boolean truth values (T or F) characterize the truth of $(R_{x1N} - R_{xiN}) > \dots > (R_{x(i-1)N} - R_{xiN})$ and $(R_{x(i+2)N} - R_{x(i+1)N}) < \dots < (R_{xAN} - R_{x(A-1)N})$, since no known algebraic equation on the set of reals can be legally formed in this way. However, if the truth of the right hand side of the equation is meant to imply the truth of the left hand side of the equation, an implication ($=>$) should be used instead of an equality ($=$). Also, the subscript A is not defined. Therefore, a person skilled in the arts of mathematical pattern recognition or neural network design and implementation would be unable to make use of the concept underlying the expression.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Art Unit: 2121

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3-11, 15, 18-28, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by *Gorp et al.*, "An Interpolation Technique for Learning With Sparse Data", 2000.

Regarding claim 1. *Gorp et al.* describe a computer-implemented method for enriching sparse data for machine learning (*see* Abstract), comprising: receiving the sparse data (*see* §III, *Examiner interprets the matrix U to contain the received data and to be sparse.*); enriching the received data around a deviation of the mean of the received data using a predetermined distribution (*see* §III, p. 5/10, col. 2, lines 13-15, "...the measurements are noisy with known (or experimentally determined) variances", *Examiner interprets "known variances" as variances from a predetermined—experimentally or otherwise—distribution.*); and outputting the enriched data for unbiased learning and improved performance during the machine learning (*see* p. 4/10, Eq. 18 and p. 5/10, col. 1, Fig. 4, *Examiner notes that the 95% and 99% boundary of the input dimensional hypercubes correspond to confidence limits of the 95% and 99% confidence intervals for scalar measurements and if the unknown population parameter of the confidence interval is the mean of the sampled data, then the center vector, c , is a vector of sample means.*).

Regarding claims 3-5. Claims 3-5 repeat claim 1 to emphasize sparse data input and therefore is anticipated by *Gorp et al.* in the same manner as claim 1.

Regarding claims 6-11. Claims 6-11 assume that the input data belongs to multiple class sets and the neural network training operates on each class data. It is anticipated by *Gorp et al.* as data interpolation is inherent in single class or multiple class data preprocessing.

Regarding claims 15. Claim 15's "static data and real-time data" is anticipated by *Gorp et al.* (see p. 2/10, col. 2, "(2) The interpolation technique must be useful for noisy and noiseless measurement data.", *Examiner asserts that noiseless measurement data is static data and noisy measurement data is real-time data.*) *Gorp et al.* do not limit the measurement data to either static or real-time.

Regarding claim 18. *Gorp et al.* describes a computer readable medium having computer-executable instructions for performing a method of machine learning when only sparse data is available, comprising: enriching the sparse data around a deviation of the mean of the received data using a predetermined distribution; and outputting the enriched data for unbiased machine learning (*Examiner notes that the data enrichment methods are run on a computer which, inherently, includes a computer readable medium.*).

Regarding claims 19-28 and 32. Claims 19-28 and 32 depend on claim 18, either directly or indirectly. These claims contain the same limitations as are present in claims 2-11 and 15. Since the rejection of claim 18 is considered to be the same as that for claim 1, the rejection for claims 19-27 and 32 is considered to be the same as that for claims 2-11 and 15.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being obvious over *Hassoun*, "Artificial Neural Networks", 1995 in view of *Gorp et al.*

Regarding claim 2, *Hassoun* describes the method of machine learning wherein machine learning comprises: supervised artificial neural network learning (*see* §3, p. 57). *Hassoun* does not describe the method of for enriching sparse data. However, *Gorp et al.* do describe the method of for enriching sparse data (*see above, Examiner notes that the method of supervised learning is independent and after the fact of the sparse data enrichment.*).

7. Claims 35-42 and 44 and claims 45-55, 58-59, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Jakominich et al.* in view of *Gorp et al.*

Regarding claim 35, *Jakominich et al.* describe a computer system for a machine learning (*see* §VII Conclusion) comprising: a storage device (*see* p. 119, Fig. 1, Data Acquisition System); an

output device (*see* p. 119, Fig. 1, Test Stations); and a processor programmed to repeatedly perform a method (*see* p. 119, Fig. 1, NETOMAC). *Jakominich et al.* do not describe learning in a sparse data environment, to repeatedly perform a method, comprising: receiving the data; enriching the received data around a deviation of mean of the received data using a predetermined distribution; and outputting the enriched data for unbiased machine learning. However, *Gorp et al.* describe a method, comprising: receiving the data; enriching the received data around a deviation of mean of the received data using a predetermined distribution; and outputting the enriched data for unbiased machine learning (*see* above). It would have been obvious at the time the invention was made to persons having ordinary skill in the art that machine learning could be simulated with NETOMAC and incorporate the method described in *Gorp et al.* for enriching the received data and then outputting or storing the enriched data for machine learning.

Regarding claims 36-42. Claims 36-42 depend on claim 35, either directly or indirectly. These claims contain the same limitations as are present in claims 19 and 23-28. Claims 19 and 23-28, depend on claim 18. Since the rejected claim 18 is considered to be the same as claim 35, the rejection of claims 36-42 is considered to be the same as that for claims 19 and 23-28 respectively.

Regarding claim 45. *Jakominich et al.* in view of *Gorp et al.* describe a computer-implemented system for machine learning in a sparse data environment, comprising: a receive module to receive sparse data (*see* p. 119, Fig. 1, Data Acquisition System); an analyzer to enrich the

received data around a deviation of the received data using a predetermined distribution (*see* above, NETOMAC); and an output module coupled to the analyzer to output the enriched data for unbiased learning and increased performance during machine learning (*see* above, Test Stations).

Regarding claim 46. Claim 46 includes a database in the computer-implemented system of claim 45. It is considered to be inherent to that a computer implemented system uses a storage medium to store data hence the database. The arguments for claim 45's rejection also apply to that of claim 46.

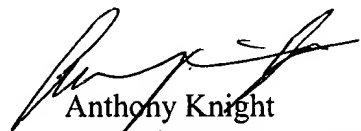
Regarding claims 47-54, 55, 57, and 58. Claims 47-54, 55, 57, and 58 depend from claim 45, either directly or indirectly. These claims contain the same limitations as are present in claims 2-9, 11, 13, and 15 respectively. Claims 2-9, 11, 13, and 15 depend from claim 1. Since the rejected claim 1 is considered to be the same as claim 45, the rejection for claims 47-54, 55, 57, and 58 is considered to be the same as that for claims 2-9, 11, 13, and 15.

Claim Objections

8. Claims 12, 14, 16, 17, 29, 31, 33, 34, 43, 44, 56, 59, 60, 61, and 62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan H. Brown, Jr. whose telephone number is 571-272- 8632. The examiner can normally be reached on M-F 0830-1700. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Knight
Supervisory Patent Examiner
Tech Center 2100

Nathan H. Brown, Jr.
September 30, 2005